

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-25-FL

SAS INSTITUTE INC.,)
)
Plaintiff,)
)
v.) **ORDER**
)
WORLD PROGRAMMING LIMITED)
)
Defendant.)
)

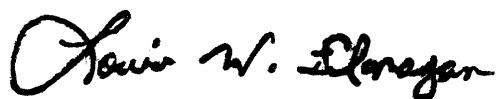
This matter is before the Court on Plaintiff's Motion for Leave to File Under Seal (i) Plaintiff's Memorandum in Opposition to Defendant's Motion for Summary Judgment [Dkt. 243], and (ii) the Declaration of Pressly M. Millen, sworn to May 19, 2014, with attached exhibits, filed in support of Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment [Dkt. 246]. The public has been given advance notice of the parties' request to seal these materials, and the Motion was docketed well in advance of this Court's decision on the Motion. *See In re Knight Publishing Co.*, 743 F.2d 231 (4th Cir. 1984). No objection has been lodged on the docket to maintaining these documents under seal. Accordingly, the issues raised in this Motion are now ripe for disposition. For good cause shown, the Motion is ALLOWED.

Because the documents relate to a dispositive motion, they are subject to a First Amendment right of access by the public. *See Rushford v. New Yorker Magazine, Inc.*, 846 F.2d 249, 253 (4th Cir. 1988). This constitutional right of access may only be overcome by a

compelling interest, and any denial of access to the documents must be narrowly tailored to serve that interest. *Id.*

The materials sought to be sealed include confidential and competitively sensitive business information. The Court finds the justification behind sealing this information to be compelling, particularly in light of no opposition from the public. The Court also believes that maintaining these materials under seal is narrowly tailored to that interest.

SO ORDERED, this 21st day of May, 2014.



LOUISE W. FLANAGAN
United States District Court Judge